

## **REMARKS**

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1, 12-16 are pending. Claims 2-11 and 17-22 were withdrawn from consideration by the Examiner in view of a Restriction Requirement dated January 24 2006. Claims 1, 12-16 stand rejected. Claims 1 and 12 have been amended.

Claims 1, 12-14 and 16 stand rejected under 35 USC 102(a) as being anticipated by Vamparys (WO 01/15449), which is the same reason cited for rejecting the claims in the prior Office Action. In maintaining the reason for the rejection, the Office Action states that "Vamparys discloses using a content based engine for generating recommendations on implicit data and is different from the engine used to generate recommendations based on explicit data (i.e. the collaborative engine). See page 16, lines 19-23. " (see OA, page 2, lines 15-19).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, independent claims 1 and 12 have been amended to recite a majority-rule voting process being used in determining the recommendation score. No new matter has been added. Support for the amendment may be found at least on page 17, lines 22-24).

Vamparysi, as characterized in applicant's prior response, discloses a system for generating program recommendations for a plurality of users based on program metadata and user profiles. The recommendation engine includes a (i) means for building program recommendations for users based on program metadata and user profiles, through use of a plurality of filtering engines for evaluating user profiles; (ii) means for gathering and weighting the built program recommendations in order to generate a list of program recommendations per user and (iii) means for storing the list of program recommendations in a user profile database. However, Vamparys fails to disclose a majority-rule voting process to determine the recommendation score.

It is well recognized that to constitute a rejection pursuant to 35 USC §102, i.e., anticipation, all material elements recited in a claim must be found in one unit of prior art.

Vamparys cannot be said to anticipate the present invention because Vamparys fails to disclose each and every element recited. As shown, Vamparys fails to teach or suggest a majority-rule voting process.

At least for this reason, applicant submits that the rejection of claim 1 has been overcome and respectfully requests withdrawal of the rejection.

Applicant further submits in response to the reason for maintaining the rejection of the claim that Vamparys discloses different filtering engines, which are applied to different user group. Vamparys discloses on page 16, lines 21-23 that "content filtering engine generates recommendations separately for each user while the collaborative filtering engine ... finds correlation between the user tastes."

Contrary to the statements made in the instant Office Action, Vamparys fails to disclose the claim element "obtaining for each program on said list a set of recommendation scores,  $S_1$ ,  $S_2$  and  $S_3$ , from each of said recommenders,  $R_1$ ,  $R_2$  and  $R_3$ , a respective score from the set of recommendation scores  $S_1$ ,  $S_2$  and  $S_3$ [[,]] corresponding **to a respective user profile.**" (emphasis added). Vamparys fails to use different filtering algorithms on a respective user profile as Vamparys uses a content filter on a user and a collaborative filter among a plurality of users.

For at least this reason, applicant submits that the rejection of claim 1 has been overcome and respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining independent claim, this claim recites subject matter similar to that recited in claim 1 and is patently distinguish from the teachings of Vamparys for the same reasons as recited with regard to claim 1.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to the remaining claims, these claims ultimately depend from the independent claims, which contain subject matter not disclosed by, and, hence, are

allowable over, the reference cited. The dependent claims are also allowable by virtue of their dependency from an allowable base claim.

For at least this reason, applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claim 15 stands rejected under 35 USC 103(a) as being unpatentable over Vamparys. The Office Action states that "Vamparys does not however teach that the stochastic method comprises a memory based process and a rule based learning process... Examiner takes Official Notice that both the concepts and advantages of using a combination scheme comprising an averaging scheme were well-known and expected in the art at the time the invention was made."

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claim.

Claim 15 depends from claim 12, which has been shown to include subject matter not disclosed by Vamparys. The invention recited in claim 15 is not rendered obvious by the teachings of Vamparys and Official Notice, as the combined teachings fails to recite all the elements claimed in independent claim 12 and dependent claim 15.

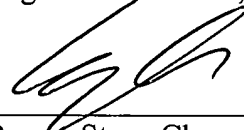
For at least this reason, applicant submits the reason for the rejection has been overcome and respectfully requests withdrawal of the rejection and allowance of the claim.

A petition for a one-month extension of time and appropriate fee are submitted to allow the filing of this response until January 20, 2007.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: January 18, 2007

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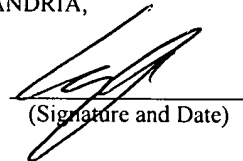
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